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Entered on Docket
October 12, 2007

Hon. Linda B. Riegle
United States Bankruptcy Judge

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12 *Attorneys for USACM Liquidating Trust*

13
14 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

15 In re:

16 USA COMMERCIAL MORTGAGE
COMPANY,

17 USA CAPITAL REALTY ADVISORS,
LLC,

18 USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

19 USA CAPITAL FIRST TRUST DEED
FUND, LLC,

20 USA SECURITIES, LLC,

21 Debtors.

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23 Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

24 **CHAPTER 11**

25 Jointly Administered Under Case No.
BK-S-06-10725 LBR

26 Date of Hearings: October 15, 2007
Time of Hearings: 9:30 a.m.

New Date of Hearings: November 16, 2007
Time of Hearings: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case: 06-10725-lbr Doc #: 5007 Filed: 10/12/2007 Page: 2 of 3

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2 **ORDER APPROVING STIPULATION TO DISALLOW DUPLICATE CLAIMS**
3 **FILED BY WYNN A. AND LORRAINE J. GUNDERSON AND CONTINUE**
4 **HEARING ON MOTION FOR SUMMARY JUDGMENT RE GUNDERSONS'**
5 **REMAINING CLAIM**

6 **IT IS HEREBY ORDERED:**

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- Approving the Stipulation by and between USACM Liquidating Trust and Wynn A. and Lorraine J. Gunderson [DE 4976];
- Disallowing Proof of Claim Nos. 10725-02321, 10725-02322, 10725-02447-1, 10725-2448-1 and 10725-02448-2 in their entirety as being duplicate or having been amended; Claim No. 10725-02447-2 shall remain of record subject to further objection by the USACM Trust.
- Vacating the hearing set for October 15, 2007, at 9:30 a.m. on USACM Trust's Motion for Summary Judgment [DE 4291] as it relates to the Gundersons' Claim (Claim No. 10725-02447-2) only and on USACM Trust's Objection to Wynn A. and Lorraine J. Gunderson Claims Asserting Secured Status, [DE 4262]. The hearing on the Motion for Summary Judgment and Objection is continued to November 16, 2007 at 9:30 a.m.;
- The deadline for the Gundersons to file and serve a response to the Objection [DE 3155 and 4262] and the Motion for Summary Judgment [DE 4291] is extended to October 24, 2007; and

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Case: 06-10725-lbr Doc #: 5007 Filed: 10/12/2007 Page: 3 of 3

10-11-2007 04:34pm From: GUNDERSON PALMER

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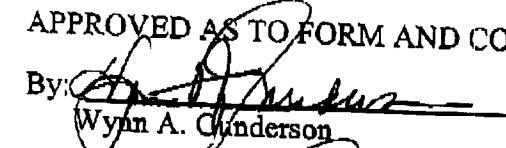
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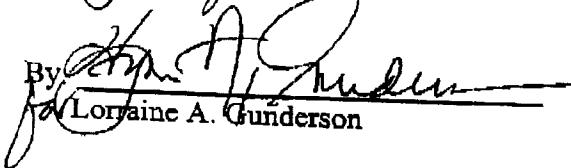
1 ♦ The USACM Trust's reply to the response shall be filed and served by
2 November 2, 2007.

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5 PREPARED AND SUBMITTED:
6 **LEWIS AND ROCA LLP**

7 By: /s/ RC (#0006593)
8 Susan M. Freeman
9 Rob Charles
10 John Hinderaker
11 *Attorneys for USACM Liquidating Trust*

12 APPROVED AS TO FORM AND CONTENT:
13 By: 
14 Wynn A. Gunderson

15 By: 
16 Lorraine A. Gunderson

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